

Exhibit 20J

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Rosie Ada



1 IN THE SUPERIOR COURT
2 OF THE
3 COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

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4
5 JOAQUIN Q. ATALIG,)
6)
7 Plaintiff,) Civil Case No. 06-0119
8 vs.)
9)
10 OKP (CNMI) CORPORATION,)
11 BRIAN M. CHEN, PRASADA REDDY)
12 GOLUGURI, PRAMUAN JAIPHAKDEE,)
13 WILAI PROMCHAI, COMMONWEALTH)
14 PORTS AUTHORITY, and REGINO M.)
15 CELLS, in his capacity as)
16 Acting Executive Director)
17 of the Commonwealth Ports)
18 Authority, and DOES 1-3,)
19 Defendants.)
20 _____)
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18 DEPOSITION OF STEVEN J. NUTTING
19 Wednesday, August 22, 2007
20 Friday, August 24, 2007
21 Saturday, August 25, 2007

23 Western Deposition & Transcription, LLC
1400 16th Street, Suite 400
24 Denver, CO 80202 USA
303.292.9400

1 MR. NUTTING: Good morning.

2 MR. DOTTS: You understand you're still under
3 oath?

4 MR. NUTTING: Okay.

5 BY MR. DOTTS:

6 Q Yesterday, we were talking about the answers
7 to some of the affirmative defenses.

8 One thing that I was curious about is, we
9 talked a little bit about the -- the default and when
10 Jack became upset because he believed there had been
11 destruction of some artifacts on the property.

12 Do you recall discussing that?

13 A Yeah.

14 Q Roughly, can you put a time as to when that
15 default -- or that alleged destruction -- occurred?

16 A The alleged destruction occurred?

17 Q Yeah. When the -- when the Latte Stones were
18 destroyed and when the water tank was damaged.

19 What was the date?

20 A The alleged destruction. I guess, to qualify,
21 we don't believe that any -- there was any Latte Stones
22 that were destroyed, but we, in terms of the clearing of
23 the property, we believe that occurred on approximately
24 the 23rd or 24th of December.

25 Q All right. December 2005?

1 stockpiled off into one corner outside of the clear
2 area -- the cleared area. It was about eight foot high,
3 a 40 by 40 foot mound. And there was an area where it
4 appeared that there wasn't any mud with vehicles getting
5 stuck or anything like that, but there was an area where
6 it appeared that it could create muddy runoff in the
7 future, and a load of coral or two was put in that area.

8 Q Okay. Do you know where the load of coral or
9 two came from?

10 A I believe it came from the New Shintani
11 Corporation.

12 Q New Shintani Corporation?

13 A Yeah.

14 Q How do you spell Shintani?

15 A S-h-i-n-t-a-n-i.

16 Q Is that a company on Rota?

17 A Yes.

18 Q Did any quarry -- or any coral come from
19 Mr. Atalig's property for this purpose?

20 A I don't believe so. No one told me that it
21 has.

22 Q The -- the topsoil was stockpiled at the end
23 before OKP left, did they take the stockpile --
24 stockpiled topsoil and reapply it to the property?

25 A They did, with additional topsoil.

1 Q Okay. How much additional topsoil did they --

2 A Fifteen to twenty dump trucks full, which was
3 taken from the airport site with permission of CPA, as I
4 understand it -- high quality topsoil. And when OKP
5 left the property, the depth of topsoil was even greater
6 than it was when they took possession.

7 Q All right. So 15 to 20 dump trucks of
8 topsoil, and all this topsoil was obtained at the
9 airport project site?

10 A As I understand it.

11 Q And was this topsoil that was -- I forgot the
12 word you used -- also stockpiled when they were doing
13 the -- the airport project?

14 A I don't know. I don't know if that was
15 stockpiled topsoil or what, but I know that was taken
16 away from the project.

17 Q All right. And we do know -- we do know some
18 coral was laid down while OKP was on the premises. Do
19 you remember how much coral?

20 A I think there was two truckloads.

21 Q Okay. And do you know roughly the area where
22 the -- where the coral was put down?

23 A I do not.

24 Q And is it correct that the roller was used to
25 flatten out, maybe compact the -- the coral?

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2 CERTIFICATE

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5 I hereby certify that the foregoing is a true and correct
6 transcript from the record of proceedings in the
7 above-entitled matter.

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12

13 _____ September 13, 2007

14 Josie Carrillo

15 Western Deposition and Transcription, LLC

16 1400 16th Street, Suite 400

17 Denver, CO 80202

18 303.292.9400

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